

MESSAGE ESTABLISHMENTS*

Art. I. In General, §§ 13-1—13-16

Art. II. Establishments, §§ 13-17—13-40

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ARTICLE I. IN GENERAL

Sec. 13-1. Purpose and intent.

It is the purpose and intent of the city council that the operation of massage establishments and massage technicians as defined in this chapter should be regulated so as to further the public interest, safety, and welfare by providing minimum building, sanitation, and health standards for such establishments and providing minimum qualifications for massage technicians. (Code 1961, § 12B.1; Ord. No. 506, § 1, 2-26-73)

Sec. 13-2. Definitions.

For the purpose of this chapter, the following words and phrases shall mean or include:

Massage. The method of treating the superficial parts of the human body for remedial or hygienic purposes by rubbing, pressing, stroking, kneading, tapping, pounding, vibrating or stimulating with the hands or any instrument.

Massage establishment. Any establishment wherein massage is given, engaged in or carried on, or permitted to be given, engaged in, or carried on.

Massage technician. Any person who administers to another person, for any form of consideration, a bath, massage, manipulation of the body, electric vibration, magnetic stimulation or similar procedure.

Massage technician trainee. Any person currently enrolled in a recognized school.

Recognized school. Any school or institution of learning, which school or institution of learning has been approved pursuant to Section 29007.5 of the Education Code of the State of California, and which has for its purpose the teaching of a course consisting of

seventy (70) hours or more of the theory, ethics and practice, methods, profession, or work of massage technicians, and which school or institution of learning requires a resident massage technician be furnished with a diploma or certificate of graduation from school or institution of learning showing successful completion of such course of study approved by the California State Department of Education.

Schools offering correspondence courses not requiring actual attendance at class, or courses of a massage technician not approved by the California State Department of Education shall not be deemed recognized schools. (Code 1961, § 12B.2; Ord. No. 506, § 1, 2-26-73)

Sec. 13-3. Display of signs and permits.

(a) A recognizable and legible sign shall be posted at the main entrance of each massage establishment identifying the establishment as such establishment.

(b) The owner or operator of such massage establishment shall display the massage establishment permit issued and the permit of each and every massage technician or massage technician trainee employed in the establishment in an accessible and conspicuous place on the premises. (Code 1961, § 12B.19; Ord. No. 506, § 1, 2-26-73)

Sec. 13-4. Denial of establishment or technician's permit for health reasons.

In the event an applicant for either a massage establishment permit or a massage technician's permit has an infectious, contagious, communicable or venereal disease, or if the applicant is in violation of any federal, state or local health law or regulation, the application may be denied. (Code 1961, § 12B.11; Ord. No. 506, § 1, 2-26-73)

*Cross reference—License fee for massage establishments: § 12-43, Category XVI.

Sec. 13-5. Appeals.

Within fourteen (14) days after any action of denial has been taken by the city manager, or of suspension or revocation by the city manager or his designated representative, such person may appeal such action to the city council. Upon the filing of such request, the city clerk shall set a time and place for hearing and shall notify the appellant thereof. The hearing shall be set within thirty (30) days after the request is filed. At the hearing any person may present evidence in opposition to or in support of, the appellant's case. At the conclusion of the hearing, the city council shall either grant or deny the appeal and the decision of the city council shall be final. (Code 1961, § 12B.23; Ord. No. 506, § 1, 2-26-73)

Secs. 13-6—13-16. Reserved.

ARTICLE II. ESTABLISHMENTS

Sec. 13-17. Permit required.

It shall be unlawful for any person to operate, engage in, conduct or carry on, or to permit to be operated, engaged in, conducted or carried on, (as the owner or in any other capacity) in or upon any premises within the city the business of a massage establishment as herein defined, unless a permit for the operation of said establishment has been issued by the city manager and remains in effect in conformity with the provisions of this article. (Code 1961, § 12B.3; Ord. No. 506, § 1, 2-26-73)

Sec. 13-18. Exemptions from permit.

The permits required by this article shall not apply to hospitals, nursing homes, sanatoria, persons holding an unrevoked certificate to practice the healing arts under the laws of the State of California, or persons working under the direction of any such persons or in any of such establishments. (Code 1961, § 12B.4; Ord. No. 506, § 1, 2-26-73)

Sec. 13-19. Permit application.

(a) An application for a massage establishment permit shall be made upon a form

provided by said city manager and shall set forth the exact nature of the services to be provided, the proposed place of business and facilities therefor, and the name and address of each applicant.

(b) If the applicant is a corporation, the names and residence addresses of each of the officers and directors of said corporation and of each stockholder owning more than ten (10) per cent of the stock of the corporation shall be set forth. If applicant is a partnership, the names and residence addresses of each of the partners, including limited partners, shall be set forth.

(c) In addition to the foregoing, every applicant for such a permit shall furnish the following information (separate, individual application forms shall be submitted by each of the aforesaid directors or officers for corporate applicants, and by each such partner, in the case of partnership applicants):

- (1) The previous addresses of each applicant for the three (3) years immediately prior to the applicant's present address.
- (2) Written proof that the applicant is over the age of eighteen (18) years.
- (3) Each applicant's height, weight, color of eyes and hair, and sex.
- (4) Two (2) portrait photographs of each applicant, at least two (2) inches by two (2) inches, taken within sixty (60) days immediately prior to the date of filing of the application.
- (5) The business, occupation or employment of each applicant for the three (3) years immediately preceding the date of the application.
- (6) The history of each applicant in the operation of a massage establishment or similar business or occupation, including, but not limited to, whether or not any such person, in previously operating in this or another city or state under a permit, has had such permit revoked or suspended and the reason therefor, and the business activity or occupation subsequent to such action of suspension or revocation.